



Appn. Number 09/232,566 (Rolf Jansen) GAU 2713 Amnt A 2

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whereby said camera is located in the ideal position at the rear of a trailer or motor vehicle for viewing a backing, when used in conjunction with a monitor.

#### REMARKS

Applicant wishes to thank the Examiner for sending the copies of the references.

Applicant submitted corrected drawings NO. 1-5 that were received in the Patent Office on August 30, 2000.

Applicant filed a Petition for Extension of Time (2 months) that was received in the Patent Office on October 17, 2000.

Applicant has rewritten all claims to define the invention more particularly and distinctly so as to overcome the technical rejections and define the invention patentably over the prior art.

Claims objections: Applicant has made the appropriate correction, in Claim 2, line 1, to change "enclosure for" to "assembly of".

Applicant changed also the wording of Claim 1, in order to use the better term "assembly of".

#### Summary of Claims Rejection

Claims 1 and 2 were rejected under U.S.C. 103(a) as being unpatentable over Yang (US 5,615,023) in view of King (US 5,971,468).



Response Regarding Claim 1

1. Inoperative Reference: In regard to King, the applicant respectfully submits that this reference is ineffective, because the applicant has an earlier effective filing date, due to his Provisional Patent Application 60/071/830, filed January 20, 1998.
2. Unsuggested Combination: The prior-art references (King and Yang) do not contain any suggestion (express or implied) that they be combined, or that they be combined in the manner suggested.
3. Solved Different Problem: Applicant's invention solves a different problem than the reference (King), and such different problem is recited in the claims. In re Wright, 6 USPQ 2d 1959 (1988).

Applicant's sunvisor-mounted display is a video display capable of showing moving pictures of the scene outside and behind the trailer.

The King display provides information that is ordinarily found on the instrument panel of the vehicle, in the various gauges, showing the operating condition of the vehicle.
4. New Principle of Operation: The invention utilizes a new principle of operation. Applicant has blazed a new trail, rather than followed one.

Yang claims a display comprising a hologram optical system and a holographic combiner.

Applicant's display has nothing whatsoever to do with the principle of a hologram. Applicant's display is based on



the principle of the camcorder-type liquid crystal display monitor, that is small and thin and capable of being mounted on a sunvisor.

5. Made Simpler: A prior-art version has been made simpler without loss of capability.

Applicant's display, using a camcorder-type LCD monitor, is much more simple, and presumably much more cost effective, than the complex holographic display of Yang.

Applicant's sunvisor-mounted display is a novel improvement over the complex holographic display of Yang; and the advantages are stated in applicant's claim:

"...whereby said sunvisor, when lowered, allows a driver easy, direct, close-range, sunlight-protected viewing of said monitor screen, as if the screen were a rear-view mirror, when used in conjunction with a video camera, to see to the rear when the unaided view is obstructed."

6. Lack of Implementation: If applicant's sunvisor-mounted video display were in fact obvious, because of its advantages noted above, those skilled in the art surely would have implemented it by now. That is -- the fact that those skilled in the art have not implemented the invention, despite its great advantages, indicates that it is not obvious.

Therefore, applicant submits that Claim 1 is allowable over cited references and solicits reconsideration and allowance in its rewritten form as Claim 3.



Response Regarding Claim 2

1. Background To The Legal Arguments Which Will Follow:

The main attribute of the applicant's plate-mounted assembly (micro-video, pin-holed lens camera) is that it is hidden from view, and this lessens the risk of vandalism.

The claim as originally stated: "... whereby said mounted enclosure conceals the pin-hole camera to lessen the risk of vandalism..." The claim as amended now states: "... whereby said plate-mounted assembly conceals said pin-holed lens camera to lessen the risk of vandalism..."

The assembly needs to be placed behind something that is thin and inconspicuous, for example, a license plate, with a tiny hole drilled through it, so that the pin-holed lens of the micro-video camera can see through.

The plate must be thin so that the field of view of the lens is not substantially reduced in size. A wide-angle field of view is advantageous while backing.

Affixing the back of the metal plate directly against the metal lens housing creates a problem: In winter conditions the coldness of the metal plate passes to the metal lens housing and then to the interior circuit board, causing the camera to become inoperative. In summer conditions, excessive heat passes through to the interior of the camera.

Therefore, the clear plastic pane in the applicant's assembly insulates, and also protects from moisture, dust, and scratches.



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The plastic pane is necessary in order for the assembly to be mounted on the back side of the plate in a manner that is effective in all weather conditions.

But the main reason for the plate-mounted assembly is to hide the camera from view to lessen the risk of vandalism, yet to allow the camera to be positioned low enough to have a direct view of a loading platform, or dock.

A video camera assembly positioned low, at the back of a freight trailer, and not hidden from view, is exotic and will attract attention.

In Houston, Texas, for example, many freight trailers are parked in lots next to the Houston Ship Channel. This is an industrial section of the city. Street gangs of youth are common in this area.

Those conditions are certainly not limited to Houston, Texas. Gangs are common in urban, industrial sections. Tractor/trailer rigs naturally gravitate to industrial sections.

A video camera assembly positioned low but not hidden from view is at risk of being vandalized -- damaged or stolen.

The applicant's plate-mounted assembly is a novel improvement over an assembly that is positioned low but not hidden from view.

2. Unrecognized Problem: The problem solved by the invention



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was never before even recognized. The recognition of an unrecognized problem militates in favor of patentability.

Yang does not address the risk of vandalism at all.

3. Lack of Implementation: If applicant's plate-mounted assembly were in fact obvious, because of its advantages, those skilled in the art surely would have implemented it by now. That is -- the fact that those skilled in the art have not implemented the applicant's plate-mounted assembly, despite its great advantage, indicates that it is not obvious.
4. As stated earlier in this Response, the plastic pane is necessary in order for the assembly to be mounted on the back side of the plate in a manner that is effective in all weather conditions. But it is the plate-mount itself that is the heart of the invention (Claim 2). Therefore, the applicant decided to delete mention of the pane in the amended claim (Claim 4).

Therefore, for the reasons stated above, applicant submits that Claim 2 is allowable over the cited reference and solicits reconsideration and allowance in its amended form, as Claim 4.

#### Conclusion

For all of the above reasons, applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore, he submits that this application is now in condition for allowance, which action he respectfully solicits.



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Conditional Request For Constructive Assistance

Applicant has amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P.706.03(d) and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

*Rolf Jansen*

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Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to: "BOX NON-FEE AMENDMENTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231."

January 2, 2001

*Rolf Jansen*  
Rolf Jansen, Applicant